

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DONNIE KING, #112676)	
)	
vs.)	Case: 3:10-0454
)	Judge: Campbell/Brown
CBCX ANNEX DEPT. OF)	
CORRECTIONS, et al.)	

O R D E R

On October 13, 2010, the Magistrate Judge entered a Report and Recommendation (DE 47) as a result of the plaintiff's motion to voluntarily dismiss with prejudice (DE 44). In this R&R, a recommendation was made to the District Judge that the plaintiff's motion to dismiss be granted and all other pending motions be dismissed as moot.

The Court is now in receipt of plaintiff's "Motion to Recind Prior Request and Dismiss Prior Motion" (DE 50). In this motion, the plaintiff suggests that the motion to dismiss was not filed or signed by him and that any requests to do so were made by fraud and deception and that he would like the Court to look into the matter.

In light of these allegations, the Report and Recommendation entered by the undersigned on October 13, 2010 (DE 47) is hereby **WITHDRAWN** and a hearing is hereby set on the matter for **Tuesday, November 30, 2010 at 10:00 a.m. in Courtroom 783.**

A separate order will issue to have the plaintiff transported to the Courthouse for the hearing.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
U.S. MAGISTRATE JUDGE